# Program 040 **DSHS - Developmental Disabilities**

# **Recommendation Summary**

2003-05 Expenditure Authority  3,362.  Total Maintenance Level  Difference  (33.5 Percent Change from Current Biennium  (1.0  Performance Changes Homecare Worker Wages Nonrepresented Agency Providers COLA Personal Care Eligibility Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement  Middle Management Reduction Institutional Clients to Community General Inflation FTE Staff Adjustment State Hospitals Diversion/Discharge Response to DOJ Investigation High School Transition Waiver Clients Community Protection Basic/Basic Plus Waiver Growth Family Support Waiting List Children at Serious Risk	8 680,987 3 738,215 5) 57,228	9,746 558	Total Funds  1,323,530  1,403,386  79,856  6.0%
Total Maintenance Level 3,329.  Difference (33.5) Percent Change from Current Biennium (1.0)  Performance Changes Homecare Worker Wages Nonrepresented Agency Providers COLA Personal Care Eligibility Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement 15.  Middle Management Reduction Institutional Clients to Community General Inflation FTE Staff Adjustment (1.0) State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	3 738,215 57,228 9)% 8.49 10,055 561 (458)	665,171 22,628 6 3.5% 9,746 558	1,403,386 79,856 6.0%
Difference Percent Change from Current Biennium  (1.0  Performance Changes Homecare Worker Wages Nonrepresented Agency Providers COLA Personal Care Eligibility Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement Middle Management Reduction Institutional Clients to Community General Inflation FTE Staff Adjustment State Hospitals Diversion/Discharge Response to DOJ Investigation High School Transition Waiver Clients Community Protection Basic/Basic Plus Waiver Growth Family Support Waiting List	5) 57,228 8.49 10,055 561 (458)	22,628 3.5% 9,746 558	79,856 6.0%
Performance Changes Homecare Worker Wages Nonrepresented Agency Providers COLA Personal Care Eligibility Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement Middle Management Reduction Institutional Clients to Community General Inflation FTE Staff Adjustment State Hospitals Diversion/Discharge Response to DOJ Investigation High School Transition Waiver Clients Community Protection Basic/Basic Plus Waiver Growth Family Support Waiting List	10,055 561 (458)	9,746 558	6.0%
Performance Changes Homecare Worker Wages Nonrepresented Agency Providers COLA Personal Care Eligibility Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement Middle Management Reduction Institutional Clients to Community General Inflation FTE Staff Adjustment State Hospitals Diversion/Discharge Response to DOJ Investigation High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth Family Support Waiting List	10,055 561 (458)	9,746 558	
Homecare Worker Wages Nonrepresented Agency Providers COLA Personal Care Eligibility Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement 15. Middle Management Reduction (8.0) Institutional Clients to Community General Inflation FTE Staff Adjustment (1.0) State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	561 (458)	558	19,801
Nonrepresented Agency Providers COLA Personal Care Eligibility Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement 15. Middle Management Reduction (8.0) Institutional Clients to Community General Inflation FTE Staff Adjustment (1.0) State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	561 (458)	558	19,801
Personal Care Eligibility Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement 15. Middle Management Reduction (8.0 Institutional Clients to Community General Inflation FTE Staff Adjustment (1.0 State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	(458)		
Lease, Medical Inflation, and Equipment Reduction Targeted Vendor Rate Increase Boyle/Arc Lawsuit Settlement 15. Middle Management Reduction (8.0) Institutional Clients to Community General Inflation FTE Staff Adjustment (1.0) State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List		(0.47)	1,119
Targeted Vendor Rate Increase  Boyle/Arc Lawsuit Settlement  Middle Management Reduction Institutional Clients to Community  General Inflation  FTE Staff Adjustment State Hospitals Diversion/Discharge  Response to DOJ Investigation High School Transition Waiver Clients  Community Protection 1.  Basic/Basic Plus Waiver Growth Family Support Waiting List	(1,556)	(647)	(1,105)
Boyle/Arc Lawsuit Settlement 15.  Middle Management Reduction (8.0) Institutional Clients to Community General Inflation FTE Staff Adjustment (1.0) State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List		(1,455)	(3,011)
Middle Management Reduction Institutional Clients to Community General Inflation FTE Staff Adjustment State Hospitals Diversion/Discharge Response to DOJ Investigation High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth Family Support Waiting List	7,455	6,939	14,394
Institutional Clients to Community General Inflation FTE Staff Adjustment (1.0 State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	3 1,841	1,540	3,381
General Inflation FTE Staff Adjustment (1.0 State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	(552)	(329)	(881)
FTE Staff Adjustment (1.0 State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	2,070	1,822	3,892
State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	(564)	(673)	(1,237)
State Hospitals Diversion/Discharge Response to DOJ Investigation 1. High School Transition Waiver Clients Community Protection 1. Basic/Basic Plus Waiver Growth 4. Family Support Waiting List	))		
High School Transition Waiver Clients  Community Protection 1.  Basic/Basic Plus Waiver Growth 4.  Family Support Waiting List	4,020	3,752	7,772
Community Protection 1.  Basic/Basic Plus Waiver Growth 4.  Family Support Waiting List	0 109	107	216
Community Protection 1.  Basic/Basic Plus Waiver Growth 4.  Family Support Waiting List	1,363	1,364	2,727
Family Support Waiting List	0 1,835	1,488	3,323
• • • • • • • • • • • • • • • • • • • •		2,264	4,681
• • • • • • • • • • • • • • • • • • • •	300		300
	1,440	360	1,800
Subtotal 13.	0 30,336	26,836	57,172
Total Proposed Budget 3,342.	3 768,551	692,007	1,460,558
Difference (20.5)	87,564	49,464	137,028
Percent Change from Current Biennium (0.6	12.9%	6 7.7%	10.4%
Total Proposed Budget by Activity			
Employment and Day Programs 4.	8 80,260	38,992	119,252
Family Support Program for Developmentally Disabled Clients	28,576	4,196	32,772
Field Services 485.	1 38,496	28,667	67,163
Infant Toddler Early Intervention Program (ITEIP) 9.	•	15,216	15,216
Office of Deaf and Hard of Hearing	·	10,210	10,210
Other Community Programs	134	73	207
Personal Care	176,967	176,341	353,308
Professional Services	4,737	3,979	8,716
Program Support for Developmental Disabilities 31.		2,049	5,852
Public Safety Services	41,707	39,156	80,863
Residential Habilitation Facilities 2,573.		156,316	301,918
Residential Program	1 145,602	T20,0T0	301,310

	Annual FTEs	General Fund State	Other Funds	Total Funds
State Operated Living Alternatives	224.8	11,010	10,767	21,777
Voluntary Placement Program	25.5	23,849	20,849	44,698
Compensation Cost Adjustment		5,194	4,556	9,750
Middle Management Reduction	(8.0)	(552)	(329)	(881)
Total Proposed Budget	3,345.4	768,551	692,007	1,460,558

#### PERFORMANCE LEVEL CHANGE DESCRIPTIONS

## **Homecare Worker Wages**

Pursuant to RCW 74.39A.270, a statewide unit of individual providers of home care services may bargain collectively over wages and benefits with the Governor or Governor's designee acting as the public employer of individual providers solely for the purpose of collective bargaining. According to RCW 74.39A.300, a request for funds necessary to implement the compensation and fringe benefits provisions of a collective bargaining agreement must be submitted to the director of the Office of Financial Management by October prior to the legislative session during which the request is to be considered. The Governor must include the costs to meet the agreement terms and the cost of implementation of the agreement in the Governor's budget. This year, an impasse in negotiations led to an interest arbitration proceeding. Funding is provided based on the interest arbitration award for the Office of Financial Management, the Home Care Quality Authority, and the Department of Social and Health Services. (General Fund-State, General Fund-Federal)

# Nonrepresented Agency Providers COLA

Funding is provided for a wage and related benefit increase to workers that provide personal care services in Aging and Disability Services Administration programs that are employed by private agencies. The increase corresponds to the salary and wage component of the Home Worker Contract for individual providers based on the interest arbitration award. This affects several activities in the Aging and Disability Services Administration, including the Division of Developmental Disabilities. (General Fund-State, General Fund-Federal)

## **Personal Care Eligibility**

Eligibility requirements for personal care services are tightened. Currently, clients who require minimum assistance with three of seven activities of daily living (ADLs) are eligible for personal care services. Eligibility standards for nursing home services, and within the Community Options Program Entering System (COPES) waiver, will be tightened to require that clients have a substantial need in one of the seven ADLs. Medicaid Personal Care (MPC) eligibility will require minimum assistance in four of the seven ADLs. (General Fund-State, General Fund-Federal)

#### Lease, Medical Inflation, and Equipment Reduction

Funding for leases, medical inflation, and equipment is reduced. (General Fund-State, General Fund-Federal)

#### **Targeted Vendor Rate Increase**

This targeted vendor rate increase is based on priority vendor services identified as most in need of rate adjustments. The funded level represents a 1.5 percent increase for Fiscal Year 2006 and 2.0 percent for Fiscal Year 2007, and is based on annual inflation estimates. (General Fund-State, General Fund-Federal)

#### **Boyle/Arc Lawsuit Settlement**

Funding is provided to the Division of Developmental Disabilities (DDD) to provide additional waiver compliance and tracking for the four Washington State Medicaid Home and Community-Based Services waivers for people with developmental disabilities. The funded activities meet the terms of the settlement agreement in the consolidated lawsuits, Boyle v. Braddock and Arc v Quasim, covering waiver services. The activities include an operational computerized case management system by July 1, 2008, a compliance monitor, and waiver quality assurance resources for each region. In addition, funding includes attorney fees. (General Fund-State, General Fund-Federal)

#### **Middle Management Reduction**

The Governor has directed that middle management be reduced by 1,000 positions by the end of the biennium. This item is this agency's share of the statewide amount.

#### **Institutional Clients to Community**

Funding is provided for 30 clients who will move from a residential habilitation center to a community setting. (General Fund-State, General Fund-Federal).

#### **FTE Staff Adjustment**

The Department of Social and Health Services will centralize its background check FTE staff into the Background Checks Central Unit.

#### State Hospitals Diversion/Discharge

This item funds 67 individuals who are being discharged or diverted from state psychiatric hospitals. Many individuals who are admitted to, or diverted from, state psychiatric hospitals require on-going residential services and community supports. This item includes a \$268,000 one-time expenditure for start-up costs. (General Fund-State, General Fund-Federal)

# **Response to DOJ Investigation**

This item funds a lead psychologist at Rainier School in response to a Department of Justice (DOJ) citation and to ensure that DOJ requirements regarding procedures relating to restrictive practices are implemented. (General Fund-State, General Fund-Federal)

#### **High School Transition Waiver Clients**

This item funds necessary day/employment services for 341 high school graduates on one of four Home and Community-Based Services (HCBS) waivers who will turn 21 years of age and leave school in June 2005 and June 2006. The Centers for Medicare and Medicaid Services (CMS) require that the assessed needs of the HCBS waiver participants are met. (General Fund-State, General Fund-Federal)

#### **Community Protection**

Funding is provided for residential services and support for approximately 24 eligible division clients who pose a significant public safety risk. The division has identified 18 clients as dangerous mentally ill offenders scheduled to be discharged from the Department of Corrections during the 2005-07 Biennium. The department may also serve identified clients who are living in the community with little or no support. (General Fund-State, General Fund-Federal)

#### **Basic/Basic Plus Waiver Growth**

Approximately 400 students with developmental disabilities will turn 21 and leave school in June 2005. Upon graduation, families of these students will seek employment and day programs. Funding is provided for 300 clients to enter into these programs. In addition, to gain access to federal matching funds for this service, the department will add these clients to the Basic or Basic Plus waivers. (General Fund-State, General Fund-Federal).

#### **Family Support Waiting List**

This item funds needed services for 150 individuals who are 12 years old or older on July 1, 2005 and are currently on the Family Support Opportunity wait list. Each family will receive \$1,400 per year in state funds in an effort to reduce the need for out-of-home placement for their family member with developmental disabilities.

## **Children at Serious Risk**

This item funds out-of-home placements for 24 children who are in danger of institutionalization. They now live with their families and present life-threatening or dangerous situations requiring their families to seek out-of-home placement. The children can no longer be supported in their home and are in need of an out-of-home placement due solely to their disabilities. Providing out-of-home placements in licensed settings in the community helps prevent the need for families to seek placement in a residential habilitation center, in-patient hospitalization, or psychiatric hospitalization at higher costs than serving children in a community setting. (General Fund-State, General Fund-Federal)

#### **ACTIVITY DESCRIPTIONS**

#### **Employment and Day Programs**

Employment and day programs for developmentally disabled clients are provided by contract with county governments. Services for children from birth to three years of age include specialized therapeutic and/or educational services. Services for adults, including individuals transitioning from high school to employment, involve promoting training, placement, and follow-up services to help clients obtain and maintain employment in integrated settings. Services also promote personal growth, enabling clients to participate in community activities.

#### **Family Support Program for Developmentally Disabled Clients**

Family Support Services for clients with developmental disabilities are provided by the family in the family home, reducing or eliminating the need for out-of-home residential placement. Examples of services include respite care; attendant care; nursing; specialized equipment and supplies; and therapeutic services such as physical therapy, behavior management, and communication therapy. Funding is also included to meet requirements of the State Supplemental Payment program.

#### Field Services

Field Services staff for developmentally disabled clients are responsible for case management services and developing and monitoring all community services contracted directly by the Aging and Disability Services Administration (ADSA). Every client is assigned a case manager to assist in determining service needs, connect with available resources, provide ongoing information and referral, complete assessments and service plans, locate providers, and authorize services. Staff are also responsible for developing and monitoring all community services contracted by the division, providing technical assistance to private contractors, and coordinating planning and delivery of training services with county governments.

# Infant Toddler Early Intervention Program (ITEIP)

Special projects for developmentally disabled clients include the Infant Toddler Early Intervention Program (ITEIP). This program is a multidisciplinary system for early intervention services to infants and toddlers with disabilities and their families. The program contracts with local organizations and governments for direct services.

#### Office of Deaf and Hard of Hearing

The Office of the Deaf and Hard of Hearing (ODHH) provides services to the deaf, hard of hearing, and deaf-blind communities. ODHH contracts with seven community service centers around the state to provide advocacy, sign language interpreter information, workshops, information and referral, counseling, outreach, and support services to clients and their families. In addition to the budgeted dollars shown here, this activity also is supported by an additional \$10.8 million a biennium in nonbudgeted funds to provide telecommunication relay services, equipment distribution, and other telecommunication technology. This activity was transferred to the Division of Vocational Rehabilitation. (Telecommunication Devices for the Hearing and Speech Impaired Account)

#### **Other Community Programs**

Other Community Programs includes background checks, diversion beds, and crisis intervention services to assist the community in supporting individuals with developmental disabilities experiencing a mental health crisis. The Aging and Disability Services Administration (ADSA) contracts with Regional Support Networks (RSNs), mental health agencies, and ADSA-certified residential providers for diversion beds statewide in an effort to avoid unnecessary state psychiatric hospitalization. ADSA also contracts with RSNs to provide enhanced crisis prevention and intervention services to improve access and appropriateness of mental health services for individuals with developmental disabilities.

## **Personal Care**

The Personal Care program provides funding for Title XIX personal care for children and adults with developmental disabilities. Personal Care provides assistance to developmentally disabled people in their own homes, licensed adult family homes, and boarding homes. Assistance is provided with supervision for self-care tasks such as bathing, feeding, and dressing.

#### **Professional Services**

The department contracts for professional services for developmentally disabled clients, including medical and dental services; technical assistance; and therapeutic services such as counseling/behavioral management, and speech, occupational, and physical therapy.

#### **Program Support for Developmental Disabilities**

Program Support represents the costs of administrative and technical support for all programs within the Division of Developmental Disabilities. Included in this category are policy development, fiscal planning, information services, and legislative and regional coordination. Central administration promotes consistency in the statewide application of legislative policy and programs.

#### **Public Safety Services**

Public Safety Services include funding for residential placements of developmentally disabled clients with community protection issues. These include clients released from the Department of Corrections (dangerous mentally ill offenders), clients who have a history of sexual offenses and violent crimes, clients released from Eastern and Western State Hospitals (state hospital outplacements), and clients in need of mental health crisis diversion. The activity provides support services such as counseling/behavioral management, as well as employment and day program services. The Aging and Disability Services Administration (ADSA) contracts with certified residential providers, mental health professionals, and counties to provide these services.

#### **Residential Habilitation Facilities**

Residential Habilitation Centers (RHCs) serve developmentally disabled clients with limited self-help skills, serious or anti-social behavior disorders, or serious medical problems. The purpose of RHCs is to provide assessment, treatment, training, habilitative programs, and activities for people who live in this more supportive setting. The five RHCs in Washington provide a full range of habilitative services to help each person achieve and maintain maximum independent functioning and develop the skills necessary to live in a community setting. RHCs also provide diagnostic, evaluation, consultation, emergency, and respite care services.

#### **Residential Program**

Residential programs for developmentally disabled clients are provided through contracts with private community providers. These support services provide residential care, supervision, habilitation training, therapies, medical and nursing care, and recreation. The public safety proviso allows for funding to provide intensive community residential supports to mentally ill offenders being released from the Department of Corrections, state psychiatric hospitalized clients who are ready for discharge, and individuals who have used crisis diversion bed services.

#### **State Operated Living Alternatives**

The State Operated Living Alternatives (SOLA) program is similar to Residential Services, except staffing supports are provided by state employees. The program involves 115 clients living in 34 homes across the state.

#### **Voluntary Placement Program**

The Voluntary Placement program for children with developmental disabilities provides services to children who are placed in out-of-home care or who need more intensive in-home care for reasons due solely to the child's disability. Children must be under age 18, meet Aging and Disability Services Administration (ADSA) eligibility criteria, and have no issues of abuse and neglect. Services provided in this program include behavioral support, foster care, group care, therapies, community activities for the child, and respite care for providers.

#### **Compensation Cost Adjustment**

This item reflects proposed compensation and benefit cost adjustments that were not allocated to individual agency activities. The agency will assign these costs to the proper activities after the budget is enacted.

#### **Middle Management Reduction**

The Governor has directed that middle management be reduced by 1,000 positions by the end of the biennium. This item is this agency's share of the statewide amount. These savings will be assigned to the appropriate activities after the budget is enacted.